

Town of Red Hook: Guide to Proposed Zoning Law Amendments

| Article | Section | Existing 1993 Zoning Law | Proposed Zoning Law Amendments |
|------------|---------|--|---|
| I | | General Provisions | General Provisions |
| | 143-1 | Title | Title |
| | 143-2 | Scope | Scope |
| | 143-3 | Enacting legislation and purposes | Enacting legislation and purposes |
| | 143-4 | Word usage; definitions | Word usage; definitions Changes made to the Zoning Law have been reflected in changes to the definitions section |
| II | | Zoning Districts | Zoning Districts |
| | 143-5 | Establishment of zoning districts | Establishment of zoning districts Two new Zoning Districts have been added: Agricultural Business (AB) District and Traditional Neighborhood Development (TND) District, and within the TND District, 3 subdistricts: Residential Neighborhood, Commercial Center, and Office-Industrial |
| | 143-6 | Intent of zoning districts | Intent of zoning districts References to the purposes sections of the AB District and TND District have been added; references to the density bonus for provision of central water in the R1 and R1.5 Districts have been deleted |
| | 143-7 | Zoning District Map | Zoning District Map Amended Zoning District Map provided |
| | 143-8 | Interpretation of zoning district boundaries | Interpretation of zoning district boundaries |
| | 143-9 | Delineation of flood hazard zones | Delineation of flood hazard zones |
| | 143-10 | Applicability of & compliance with zoning district regulations | Applicability of & compliance with zoning district regulations |
| III | | Use Regulations | Use Regulations |
| | 143-11 | District schedule of use regulations | District schedule of use regulations Reference to uses in the AB District and TND District have been added |
| IV | | Area and Bulk Regulations | Area and Bulk Regulations |
| | 143-12 | District schedule of area and bulk regulations | District schedule of area and bulk regulations Reference to area and bulk standards in the AB District and TND District added |
| | 143-13 | Existing lots of record | Existing lots of record |
| | 143-14 | Minimum lot area per principal dwelling unit | Minimum lot area per principal dwelling unit |
| | 143-15 | Height exceptions | Height exceptions |
| | 143-16 | Corner lots; obstructions at intersections | Corner lots; obstructions at intersections |

| Article | Section | Existing 1993 Zoning Law | Proposed Zoning Law Amendments |
|----------|---------|---|---|
| | 143-17 | Architectural features permitted in required yards | Architectural features permitted in required yards |
| | 143-18 | Accessory structures | Accessory structures |
| | 143-19 | Distance between principal buildings on same lot | Distance between principal buildings on same lot |
| | 143-20 | Setbacks on highways with substandard rights-of-way | Setbacks on highways with substandard rights-of-way |
| | 143-21 | Lot area, width and frontage exceptions and modifications | Lot area, width and frontage exceptions and modifications |
| | 143-22 | Transition between zoning districts | Transition between zoning districts |
| | 143-23 | Freshwater wetlands & land under water or subject to flooding | Freshwater wetlands & land under water or subject to flooding Replaced with section on Buildable Acreage |
| V | | Supplementary Regulations | Supplementary Regulations |
| | 143-24 | Applicability | Applicability |
| | 143-25 | General performance standards | General performance standards |
| | 143-26 | Off-street parking and loading standards | Off-street parking and loading standards |
| | 143-27 | Sign standards | Sign standards Adds sign standards for non-residential uses in the AB District |
| | 143-28 | Fences and walls | Fences and walls |
| | 143-29 | Excavation as part of site preparation | Excavation as part of site preparation |
| | 143-30 | Development near bodies of water | Development near bodies of water |
| | 143-31 | Development within the Flood-Fringe Overlay District | Development within the Flood-Fringe Overlay District |
| | 143-32 | Home occupations | Home occupations |
| | 143-33 | Residential cluster development | Residential cluster development Complete overhaul of cluster regulations with greater emphasis on preserving the natural and scenic qualities of open space through use of a four-step design process. Revises method for determining permitted development potential; deletes provision authorizing Planning Board to change types of residential dwelling units permitted in the district; increases the minimum amount of required open space; amends area and bulk standards to permit smaller residential lots; amends existing requirement for a perpetual conservation easement to permit a deed restriction and plat notation for open space of less than 10 acres. |
| | 143-34 | Water supply and sewage disposal | Water supply and sewage disposal |
| | 143-35 | Sanitary disposal areas and facilities | Sanitary disposal areas and facilities |
| | 143-36 | Swimming pools | Swimming pools |

| Article | Section | Existing 1993 Zoning Law | Proposed Zoning Law Amendments |
|---------|----------|--|---|
| | 143-37 | Solar access | Solar access |
| | 143-38 | Required screening for nonresidential uses | Required screening for nonresidential uses |
| | 143-39 | Agriculture | Agriculture Amended to include reference to NYS Agriculture and Markets Law, and to delete the acreage restriction for the keeping of fowl and farm animals in the AB District |
| | 143-39.1 | | Adds a new section on the AB District. Includes additional uses to enhance farm income, with a streamlined review process for many uses. Allows landowners to sell development rights at the current zoning rate (as depicted on the 1999 Zoning Map) to encourage conservation of agricultural lands, while permitting some new homes in a farmstead complex; alternatively, lands could be developed at a reduced density based on a sliding scale using conservation subdivision design. Incorporates much of the material from the previous "Important Farmlands Law," including a requirement for clustering and siting standards. |
| | 143-40 | Roadside stands | Roadside stands |
| | 143-41 | Farms and related uses | Farms and related uses Amended to allow operation of farms in the AB District; to permit Farm Markets 1, 2, and 3 in the AB District subject to the provisions of Section 143-39.1; to add provisions for farm labor housing in the AB District; and to permit farm industries as an accessory use to a farm or land in agricultural use in the AB District |
| | 143-42 | Outdoor storage on residential lots | Outdoor storage on residential lots |
| | 143-43 | Antennas | Antennas |
| | 143-44 | Temporary buildings and uses | Temporary buildings and uses |
| | 143-45 | Development within the Hamlet District | Development within the Hamlet District |
| | 143-46 | Development within the Historic Landmarks Overlay District | Development within the Historic Landmarks Overlay District |
| | 143-47 | Development within the Environmental Protection Overlay District | Development within the Environmental Protection Overlay District Subsection 143-47D(4) (Important Farmlands) deleted - much of this material has been incorporated into the new Section 143-39.1 (Agricultural Business District) |
| | 143-48 | Development within the Scenic Corridor Overlay District | Development within the Scenic Corridor Overlay District |
| | 143-49 | Development within the Light Industrial Overlay District | Development within the Light Industrial Overlay District |

| Article | Section | Existing 1993 Zoning Law | Proposed Zoning Law Amendments |
|-----------|----------|--|---|
| | 143-49.1 | | Adds a new section on the TND District to permit traditional, village-scale development adjacent to the Village of Red Hook. As-of-right building potential in the Residential Neighborhood Subdistrict is 1 du/net acre; this can be increased through incentive zoning up to 4 du/net acre for TND House or up to 6 du/net acre for TND Townhouse, Duplex, Cottage, and Apartment. A housing mix of 3 types of du is required, with no one type comprising less than 20% of the total units. In the Commercial Center, parking requirements have been reduced, and 6,000 sq. ft. per acre of building coverage is allowed as-of-right; this may be increased by incentive zoning depending on the type of use. In the Office-Industrial Subdistrict, permitted building coverage is 20%, double the amount currently allowed in the Light Industrial District; a setback from Route 9 is required to protect the Town's southern gateway. |
| | 143-49.2 | | Adds a new section on Open Space Incentive Zoning which authorizes adjustments to building potential in the TND District in exchange for preserving open space in the AB District, thereby promoting residential development near the existing centers (where it will stimulate commercial development) rather than on farmland. |
| VI | | Special Permit Uses (only revised sections cited below) | Special Permit Uses (only revised sections cited below) |
| | 143-64 | Accessory apartments within existing single-family dwellings | Accessory apartments within existing single-family dwellings Adds the AB District to the list of districts where this use is special permitted |
| | 143-65 | Accessory apartments within new single-family dwellings | Accessory apartments within new single-family dwellings Adds the AB District to the list of districts where this use is special permitted |
| | 143-66 | Accessory apartments through adaptive reuse of non-dwelling structures | Accessory apartments through adaptive reuse of non-dwelling structures Adds the AB District to the list of districts where this use is special permitted |
| | 143-68 | Cottages | Cottages Adds the AB District to the list of districts where this use is special permitted |
| | 143-69 | Home occupations Class 2 | Home occupations Class 2 Adds the AB District to the list of districts where this use is special permitted |
| | 143-70 | Private airstrips and heliports in LD, RD5, RD3, B1 & I Districts | Private airstrips and heliports in LD, RD5, RD3, B1 & I Districts Adds the AB District to the list of districts where this use is special permitted |

| Article | Section | Existing 1993 Zoning Law | Proposed Zoning Law Amendments |
|---------|-----------|---|--|
| | 143-71 | Hunting and/or fishing clubs | Hunting and/or fishing clubs Adds the AB District to the list of districts where this use is special permitted |
| | 143-72 | Outdoor recreation facilities | Outdoor recreation facilities Adds the AB District to the list of districts where this use is special permitted |
| | 143-76 | Cemeteries, including mausoleum | Cemeteries, including mausoleum Adds the AB District to the list of districts where this use is special permitted |
| | 143-79 | Cultural Facilities | Cultural Facilities Adds the AB District to the list of districts where museums and agricultural learning institutions are special permitted |
| | 143-87 | Commercial boarding and/or breeding kennel or animal hospital (enclosed) | Commercial boarding and/or breeding kennel or animal hospital (enclosed) Adds the AB District to the list of districts where this use is special permitted |
| | 143-88 | Conference Centers | Conference Centers Adds the AB District to the list of districts where this use is special permitted |
| | 143-89 | Convenience stores | Convenience stores Adds the TND District to the list of districts where this use is special permitted |
| | 143-90 | Farmers' markets | Farmers' market Adds the AB District to the list of districts where this use is special permitted |
| | 143-91 | Gasoline stations and automobile service facilities | Gasoline stations and automobile service facilities Adds the TND District to the list of districts where this use is special permitted |
| | 143-93 | Inns | Inns Adds the AB District to the list of districts where this use is special permitted, and establishes a minimum lot area of 5 acres for an inn created through adaptive reuse, and 25 acres for construction of a new inn. |
| | 143-96 | Restaurants | Restaurants Adds the AB District to the list of districts where this use is special permitted when associated with a Inn or Farm Market |
| | 143-103 | Commercial communications receiving and/or transmitting facilities; telecommunications towers | Commercial communications receiving and/or transmitting facilities; telecommunications towers Adds the AB District to the list of districts where this use is special permitted |
| | 143-106 | Sawmills and related facilities | Sawmills and related facilities Adds the AB District to the list of districts where this use is special permitted |
| | 143-110.1 | Agricultural Production Distribution Center (Wholesale) | Agricultural Production Distribution Center (Wholesale) Adds this use which is allowed by special permit in the AB District |

| Article | Section | Existing 1993 Zoning Law | Proposed Zoning Law Amendments |
|---------------------|---------|--|---|
| VII-XII | | No revisions to these Articles | No revisions to these Articles |
| Attachment A | | District schedule of use regulations | Amended to add Row or Attached Dwellings as a special permitted use in the R1 and H Districts; to delete residential cluster development as a land use; and to add a reference to Sections 143-39.1 and 143-49.1 for uses in the AB and TND Districts |
| Attachment B | | District schedule of area and bulk regulations | Amended to eliminate the density bonus for provision of central in the R1 and R1.5 Districts, and to add references to Sections 143-39.1 and 143-49.1 for dimensional standards for the AB and TND Districts |
| Attachment C | | | 1999 Reference Map added as an attachment to the Zoning Law. This map is solely approved for use in connection with sale of development rights from lands in AB District in § 143-39.1F(1) |